

**Norlite Corporation - 02-2020-1004**

**Case Conclusion Data Sheet**

**Submitted**

**Basic Information**

<b>Case Name</b>	Norlite Corporation
<b>Court Docket Number</b>	CAA-02-2020-1004
<b>Enforcement Action Type</b>	CAA 113D1 Action For Penalty
<b>Primary Statute/Section Violated</b>	CAA 112 Hazardous Air Pollutants

**Site Facility Information**

**NORLITE LLC**  
**EPA FRS Number:** 110000324159  
**ICIS Number:** NY0000004010300016  
628 S SARATOGA ST  
COHOES, NY 12047  
**Latitude:** 42.755025 , **Longitude:** 73.7037463

<b>Was this action taken in response to a violation found through an Inspection?</b>	Yes
--	-----

<b>ICIS Inspection Name</b>	Norlite
-----------------------------	---------

<b>ICIS Inspection Date</b>	03/19/2015
-----------------------------	------------

<b>Was this a Multi-Media action?</b>	No
---------------------------------------	----

<b>Is the community impacted by the alleged violation(s) different than the location of the Respondent(s)/Defendants(s)?</b>	No
--	----

<b>Do you have reason to believe that environmental justice concerns may be raised?</b>	No
---	----

<b>Was Voluntary Disclosure Policy applied to this action?</b>	No
--	----

**Other Statute(s) Violated**

**Additional Respondents, PRPS or Defendants**

N/A

CFR Citations	40 CFR Part 63, Subpart EEE		
Priority Activity Type	Core		
Violation Type(s)			
CAA - National Emission Standard For Hazardous Air Pollutant,			
EPA Lead Attorney	Chris Saporita	EPA Program Contact	Hans Buenning
NextGen element included in final order/settlement		No	
Does the action involve Integrated Planning (IP) remedies consistent with EPA's Integrated Municipal Stormwater and Wastewater Planning Approach Framework?		No	
Single event violations (SEVs)		No	
Was Alternative Dispute Resolution used in this action?		No	
Date of Final Order Lodging			
Date of Final Order		05/14/2020	
Estimated Termination Date			
Resolution Code		Final Order With Penalty	
Conclusion Type		Amendment to Administrative Order or Consent Agreement	
Complying Action			
Removal and Restoration			
Total Cost: \$0.00			
Reduction of Ongoing Releases			
Total Cost: \$0.00			
Prevention of Future Releases			
Total Cost: \$0.00			
Work Practices			
Total Cost: \$0.00			

Penalty

## Final Assessed Penalty (not including value of any SEP)

EPA	\$150,000.00	State and Local Government	\$0.00
Multi-Media Actions			

## CERCLA Cost Recovery

### Amount of cost recovery awarded

EPA	State and Local Government
-----	----------------------------

## Summary (may appear on the next page)

Pursuant to Section 113(d) of the Clean Air Act (CAA), 42 U.S.c. §7413(d), the Complaint proposes that a civil penalty be assessed against Norlite (Respondent) for its failure to comply with the National Emission Standards for Hazardous Air Pollutants (NESHAP) general provisions set forth in 40 C.F.R. Part 63 Subpart A, and the NESHAP for Hazardous Air Pollutants from Hazardous Waste Combustors (HWC) set forth in 40 C.F.R. Part 63 Subpart EEE. Norlite, LLC (Norlite) owns a facility at 628 South Saratoga Street in Cohoes, New York, where it produces shale aggregate in two large rotary kilns. Norlite burns liquid hazardous waste to fuel the kilns and is, therefore, subject to the HWC NESHAP set forth in 40 C.F.R. Part 63, Subpart EEE..Specifically, Norlite exceeded the operating parameter limit (OPL) for maximum gas exit temperature (which is necessary to control emissions of dioxins/furans) and exceeded the OPL for minimum pressure drop in the scrubber (which is necessary to control emissions of hydrogen chloride/chlorine gas and particulate matter) during 2013-2015. More recently, Norlite submitted information to the EPA showing that it exceeded the applicable emissions limits for chromium, arsenic, and beryllium during a recent performance test the company conducted on December 7, 2017. This action resolves these violations

## Self Disclosure

Disclosure under Audit Policy?  
Disclosure under EPA's Small Business Policy  
Is this Action covered under SBREFA  
Disclosure Referred by an Office Outside Region II  
Disclosure Part of Media/Sector Initiative?  
Outstanding Issues  
Number of Facilities Associated with this  
Disclosure  
Method of calculating Gravity Based Penalty  
Waived  
Gravity-Based Penalty Calculations Before  
Mitigation  
Percent of Gravity Based Penalty Waived %  
Gravity Based Penlaty Assessed  
Economic Benefit Assessed

**Rationale for not applying disclosure policy**